

**Virginia Scenic River Advisory Board  
Henricus Historical Park  
Chesterfield, Virginia  
December 8, 2006**

**Virginia Scenic River Advisory Board Members Present**

Richard G. Gibbons, Chair	Patricia A. Jackson, Vice Chair
Henry R. Broadus	Robert G. Harrison
Ralph Hambrick	Amanda Macaulay
Mary Lily Nuckolls	Christopher B. Rivers
P.T. Taylor, Jr.	K. Wayne Walton
Russell W. Baxter for Joseph H. Maroon	

**Virginia Scenic River Advisor Board Members Not Present**

Mark R. Merhige	Ralph L. Moore
Edward A. Mullen	Cardell C. Patillo, Sr.

**DCR Staff Present**

Michael R. Fletcher, Board and Constituent Services Liaison  
John R. Davy, Director, Division of Planning and Recreation Resources  
Lynn Crump, Environmental Program Planner

**Others Present**

Leighton Powell, Scenic River Virginia  
Rick Tatnall, Richmond Twinning  
Greg Velzy, Falls of the James Scenic River Advisory Committee

Chairman Gibbons called the meeting to order and declared a quorum present. He welcomed members to Henricus Park.

Mr. Gibbons introduced Mr. Wayne Walton and Ms. Amanda Macaulay, the newest members of the Board.

**Minutes of the June 29, 2006 Meeting**

MOTION: Mr. Harrison moved that the minutes of the June 29, 2006 meeting be approved as submitted.

SECOND: Mr. Taylor

DISCUSSION: None

VOTE: Motion carried unanimously

### **Chairman's Report**

Mr. Gibbons gave the chairman's report.

Mr. Gibbons suggested that it would be helpful for the Board to develop a strategic plan or set down a long-range planning goal. This would help the Board work with the Department.

He noted that the Department is developing a Vision 2010 plan. He also noted that the Division of Planning and Recreation Resources has been working on the 2007 Virginia Outdoors Plan. The Virginia Outdoors Plan is a conservation plan and policy document for the Commonwealth as it relates to open space, recreation and the conservation of resources.

Mr. Gibbons referenced a handout provided to members that outlined the powers and duties of the board.

### **Powers and Duties of the Board**

#### **§ 10.1-406**

The Board shall have general powers and duties to

- (i) advise the Director on the appointment of Scenic River Advisory Committees or other local or regional committees pursuant to §10.1-401;
- (ii) formulate recommendations concerning designations for proposed scenic rivers or extensions of existing scenic rivers;
- (iii) consider and comment to the Director on any federal, state or local governmental plans to approve, license, fund or construct facilities that would alter any of the assets that qualified the river for scenic designation;
- (iv) assist the Director in reviewing and making recommendations regarding all planning for the use and development of water and related land resources including the canals, or other uses that change the character of a stream or waterway or destroy its scenic assets, so that full consideration and evaluation of the river as a scenic river resource will be given before alternative plans for use and development are approved;
- (v) assist the Director in preserving and protecting the natural beauty of the scenic rivers, assuring the use and enjoyment of scenic rivers for fish and wildlife, scenic, recreational, geologic, historic, cultural or other assets, and encouraging the continuance of existing agricultural, horticultural, forestal and open space land and water uses;

- (vi) advise the Director and the affected local jurisdiction on the impacts of proposed uses of each scenic river and its related land resources; and
- (vii) assist local governments in solving problems associated with the Virginia Scenic Rivers System, in consultation with the Director.

#### **From DCR's "Vision 2010"**

- Help to expand scenic river designations to at least 3 new areas.

#### **2007 VOP Scenic River Recommendations**

- DCR and the Scenic River Advisory Board should promote the designation of qualifying rivers. By focusing on rivers already studied, localities and the state can maximize the value of the Scenic River program and its influence for protection of river resources.
- The Scenic River Advisory Board, hereafter referred to as the Board, should develop a process to enhance support of the program at all levels of government for better maintenance and management of scenic rivers.

#### **2007 VOP general Scenic River Recommendations**

- Local government should nominate candidate streams and rivers for study and possible Scenic River designation.
- DCR should continue to administer and promote the Scenic Rivers Program and to reevaluate and expand its base of information about rivers and streams.
- DCR should reevaluate designated rivers to determine continued eligibility based on current conditions to ensure the integrity of the Scenic Rivers Program.
- DCR should include Scenic River corridors, existing and qualified, in the green infrastructure land planning model.
- DCR should continue to review and comment on various permit applications to state and federal regulatory agencies with respect to possible impacts to existing and potential components of the Scenic River system. DCR will also continue to review and comment on all bridges to provide visual and boating access to rivers whenever possible.
- DCR should assist local governments with development of planning tools (e.g., land use overlays, corridor management plans) that will afford special recognition and protection to Virginia's Scenic Rivers.
- Scenic river signage should be coordinated with VDOT and DCR under the Tourist Oriented Directional Signage (TODS) program to improve scenic river program awareness.

#### **2007 VOP general Scenic Recommendations**

- DCR should co-sponsor, along with other agencies, universities, and organizations a workshop on scenic/aesthetic resources and the tools and techniques available to evaluate, map, quantify and manage resources.

**Key Questions:**

- How can the Board best discharge its responsibilities?
- What should be the priorities of the Board over the next three years?
- How can DCR best support the activities of the Board?

Mr. Baxter said that the questions were posed to get members thinking about the future of the Board. The Code section was to help clarify for members the responsibilities assigned to the Board.

Mr. Baxter said that DCR was trying to determine how best to work with the Board to accomplish these priorities. He asked for members to comment back to him by February 1, 2007.

Dr. Hambrick noted that the Board was still relatively new and undefined.

Mr. Walton said that the Board could be supportive of localities and help them put the pieces together with regard to scenic rivers.

Chairman Gibbons said the other concern that he wanted to bring to the Board was the idea of working with local river organizations. He said that he had been attending the meetings of the James River Advisory Council. The JRAC is well established, being 10-12 years old. They have been able to work with 40-50 groups with river interests.

Mr. Gibbons said attending one of the meetings give a good sense of what the issues are with regard to the James River.

Mr. Gibbons said there were other groups that could be identified and with which members could become actively involved.

Ms. Crump said that DCR intends to include a listing of organizations relating to rivers and watershed issues in the Virginia Outdoors Plan. These organizations would be listed by Planning District Commission.

Members were asked to forward any contact information for such groups to Ms. Crump by the first of the year.

Mr. Baxter said the larger issue would be a discussion of how the Scenic River Advisory Board would interact with those organizations.

Mr. Gibbons reviewed the Scenic River Program Evaluation Guidelines.

### **Virginia Scenic River Program Extension Designation Guidelines**

The following are guidelines for extending the designation on a river that already has been designated a scenic river.

1. A letter from the locality (County/City Manager, Planner, or Board of Supervisors) is sent to the Department of Conservation and Recreation (DCR) requesting an evaluation of that portion of the river where the designation is desired. The letter can be from an Advisory Board, but there needs to be a show of support from the local governing body along with it.
2. Evaluation of the river is conducted. When the evaluation is conducted, representatives from state and local government, advisory board and other interested parties and individuals are invited to participate.
3. If the river qualifies for designation a letter indicating the river qualifies is sent to the locality and proponent organization. A resolution of support is requested from the local governing body to continue the designation process.
4. A draft of the bill extending the designation of the river is prepared and sent to the localities for review and refinement.
5. A sponsor is identified to present legislation to the General Assembly for approval.

Mr. Gibbons said that he hoped at the spring meeting the Board could do an actual river evaluation.

Dr. Hambrick asked how evaluations had been done in the past.

Mr. Gibbons said that traditionally DCR asked the locality to make an initial request for an evaluation. In the Virginia Outdoors Plan a number of rivers have been evaluated and found to qualify.

### **Director's Report**

Mr. Baxter gave the Director's report.

Mr. Baxter said that as follow up to previous discussions regarding the Captain John Smith James River Trail, maps are available from DCR. Governor Kaine participated in a dedication ceremony of the first placard on the trail at Westover Plantation on October 2, 2006.

The U.S. House and Senate have passed legislation that will create the Captain John Smith Chesapeake National Historic Water Trail. This will be the first national water trail in the United States. It will include much of the John Smith Trail and the James River. The Trail will go from the York River up to the Susquehanna. The bill is on the way to the President's desk.

Mr. Baxter gave an update regarding Governor Kaine's land conservation goal of conserving an additional 400,000 acres of land by 2010. This is important as it relates to river viewsheds. He indicated that progress was being tracked on the DCR website.

Mr. Baxter referenced a copy of a powerpoint presentation entitled "Vision 2010 – An Action Plan for Making a Difference by 2010." The document outlines the strategic plan for the Department of Conservation and Recreation. A copy is available from DCR.

### **Scenic Virginia Presentation**

Leighton Powell from Scenic Virginia gave a presentation.

Ms. Powell said that Scenic Virginia appreciated the nomination for Goose Creek to receive an award. The award went to the Rappahannock/Rapidan river. She said that she hoped the Board would continue to submit nominations.

Mr. Tatnall discussed the viewshed along the James River in the City of Richmond. He said Scenic Virginia is hoping to curtail development as well as stressing the importance of the viewshed.

Mr. Tatnall said that Scenic Virginia has given the area their "Endangered Virginia Viewshed" designation. He presented members with a packet of information including a draft House Joint Resolution that would designate the panoramic view of the James River from Libby Hill in Richmond as an Historic Viewshed. A copy of this information is available from DCR.

Mr. Tatnall said the City has been supportive of this idea.

Scenic Virginia has worked to get riverfront zoning passed to restrict the height of buildings and to preserve the view. A proposed luxury residential building will restrict the view and will cut off public access to the river.

Ms. Jackson asked if the developer had been approached with regards to height restrictions on the building.

Ms. Powell said that the zoning passed in 2002. This is seen as an economic opportunity for the City.

Mr. Velzy noted that the developer would be speaking to the Falls of the James Scenic River Committee at their next meeting.

MOTION: Dr. Hambrick moved that the Virginia Scenic River Board express support for the resolution designating the area discussed as an Historic Viewshed.

SECOND: Mr. Walton

DISCUSSION: None

VOTE: Motion carried with Mr. Baxter abstaining.

Ms. Powell presented photos of a billboard that is in prominent view on the approach to Richmond from the South across the I-95 James River Bridge. Currently the billboard is being used by the Virginia Lottery.

She said that the Mayor has plans to ensure that this billboard is taken down. The billboard does not meet the zoning ordinance, but was given an exemption by the planning commission. The City Council did not act on the special permit.

Dr. Hambrick said that the Falls of the James Scenic River Committee has endorsed the removal of the billboard.

MOTION: Ms. Nuckols moved that the Chairman write a letter to Mayor Wilder and the City on behalf of the Board expressing concern over and requesting action on the large billboard on the I-95 approach to the City of Richmond and further that the Board considers it important that the Billboard be down before the 2007 Jamestown Celebration.

SECOND: Dr. Hambrick

DISCUSSION: None

VOTE: Motion carried unanimously

#### **Presentation by Falls of the James Scenic River Advisory Committee**

Mr. Velzy gave remarks on behalf of the Falls of the James Scenic River Advisory Committee.

He said that the committee has been dealing with issues of development, particularly the Echo Harbor development.

MOTION: Ms. Jackson moved that the Virginia Scenic River Advisory Board endorse the protection of the viewshed along the Historic Falls of the James, a designated scenic river section and further that the Board shall review and provide comments on any development plan within the viewshed of the designated river corridor pursuant to the powers granted in the Code of Virginia § 10.1-406.

SECOND: Mr. P.T. Taylor

DISCUSSION: None

VOTE: Motion carried with Mr. Baxter abstaining.

Mr. Velzy said that another issue the Committee has dealt with is how to notify riparian owners that their property is along a stretch of a designated Scenic River. He said the Committee would welcome a Board discussion on how best to accomplish that.

### **Goose Creek Extension Update**

Ms. Crump provided an update regarding the Goose Creek Extension.

The County of Fauquier asked DCR to study Goose Creek to determine if the current Scenic River Designation in Loudoun County could be extended for its entirety in Fauquier County.

Ms. Crump reviewed a map of the proposed section of Goose Creek. She indicated that staff has completed a field study as well as GIS work with aerial photographs.

Mr. Baxter noted that a letter from Director Maroon in response to the County request was included in the packet. The measure will be before the General Assembly in the 2007 Session.

Ms. Crump indicated that DCR has received no opposition to this designation.

MOTION: Dr. Hambrick moved that the Virginia Scenic River Advisory Board endorse the designation of Goose Creek in Fauquier County from the confluence of the North and South Fork of Goose Creek to the Fauquier/Loudoun County line, a length of about 20 miles.

SECOND: Ms. Macaulay

DISCUSSION: None

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VOTE: Motion carried unanimously

Mr. Gibbons commended Ms. Crump, Mr. Davy and staff for their work with the committee.

### **Virginia Outdoors Plan Update**

Mr. Davy gave an update regarding the Virginia Outdoors Plan.

#### ***Process of Virginia Outdoors Plan***

##### What has been completed so far on the plan:

- Conduct 2006 Virginia Outdoors Survey
- Establish advisory committee
- Research and writing for overall statewide recommendations related to conservation and outdoor recreation

##### Working directly with PDCs to:

- Include regional connections & initiative in plan recommendations.
- Update regional text and establish recommendations in accordance with regional objectives.
- Schedule fall public meetings for local and regional input to recommendations.

##### Key Issues from Public Meetings

- Green infrastructure
- Wildlife corridors
- Carrying capacity
- Trails/greenways and linkages
- Water trails and scenic waterways
- Livable/walkable communities/safe routes to schools
- Accessibility to recreation opportunities
- Ethnic/cultural changes
- Good planning and assessment
- Stable funding
- Private property rights
- Increasing real estate values
- Economic values of parks and open space
- Water quality
- Eco-tourism
- Nature deficit disorder
- Security and safety of public areas

2006 Survey of Outdoor Recreational Activities

<u>Rank</u>	<u>Activity</u>	<u>% Population Participating</u>
1	Walking for Pleasure	69%
2	Driving for Pleasure	54%
3	Visiting Historic Sites	50%
4	Swimming	40%
5	Visiting Nat. Areas, Parks	40%
6	Sunbathing on Beach	32%
7	Fishing	25%
8	Picnicking	25%
9	Using a playground	25%
10	Boating	23%
11	Jogging	22%
12	Bicycling	19%
13	Visiting Gardens/Arboretums	18%
14	Camping	16%
15	Hiking/Backpacking	14%
16	Basketball	12%
17	Golf	12%
18	Fitness Trail	10%
19	Soccer	8%
20	Snow Skiing/Boarding	7%
21	Tennis	7%
22	Hunting	7%

How important is it to have access to outdoor recreation opportunities?

9%	not important
42%	important
49%	very important

What are the most needed outdoor recreation opportunities in Virginia?

Public Access to state waters	49%
Trails for hiking, walking, bicycling	47%
Access to Natural areas	40%

What are the top three reasons for having a system of state parks?

Conserving and protecting our natural resources	59%
Providing places for people to explore and enjoy their natural and cultural heritage	59%
Providing places for people to enjoy a variety of outdoor	

recreation activities which contribute to a healthy lifestyle 54%

Did you visit a Virginia State Park in the past year?

Yes	40%
No	54%
Don't know	6%

What are major reasons for having system of state parks?

Conserving Natural Resources	58%
Providing places for people to enjoy nature & cultural heritage	58%
Providing places for people to enjoy outdoor recreation contributing to a healthy lifestyle	54%

What prevented you from visiting a Virginia State Park?

Lack of Information	31%
Too far from home	19%
Other	18%
Lack of Desired Activities	12%
Too crowded	12%
Too expensive	10%
Safety Security Concerns	7%

How important is it to protect Virginia's natural and open space resources?

Very important	66%
Important	27%
Don't Know	6%
Not important	1%

Are open space and natural resources adequately protected?

Don't know	48%
No	30%
Yes	22%

When spending public monies to protect Virginia's open space resources from development, which strategy do you feel is best?

Outright purchase from willing sellers of the property & then manage as natural area or park for public use.	71%
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Purchase of easements that reduce development rights, leaving the land in private ownership with some public use allowed. 23%

Purchase of easements that reduce development rights, leaving the land in private ownership with no public use allowed. 6%

### VOP Themes

- Outdoor Recreation
- Land Conservation
- Green Infrastructure

### Virginia Outdoors Plan Key Plan Components

- Vision for Virginia
- Outdoor Recreation Issues, Trends and Survey Findings
- Land Conservation
- Green Infrastructure
- Economic Benefits of Recreation Tourism and Open Space
- Funding for Outdoor Recreation Open Space and Conservation
- Outdoor Recreation Program Initiatives
  - Greenways and Trails
  - Blueways and Water Access
  - Historic and Landscape Resources
  - Scenic Resources
  - Scenic Highway/Virginia Byways
  - Scenic Rivers
  - Virginia Watersheds
  - Environmental and Land Stewardship Education
- Resource Agencies
  - Federal (National Parks, National Forests & National Wildlife Refugees)
  - State (DGIF, VMRC, DOF, DNH, Transportation Programs)
  - Local & Regional Parks and Recreation
  - Private Sector

Summer 2006 – Draft sections of plan completed

Fall 2006 – Public meetings

Winter 2007 – Plan to NPS

Spring/Summer 2007 – Plan distribution

Mr. Baxter said that in terms of process the VOP will go first to the Board of Conservation and Recreation for a recommendation and then will be reviewed by the Secretary of Natural Resources.

### **Public Comment**

There was no further public comment.

### **Other Business**

Chairman Gibbons noted that former Board member Gordon Shelton had passed away. Mr. Gibbons has written a letter to the family on behalf of the Board commending Mr. Shelton for his work on the Rappahannock River.

Chairman Gibbons said that James River Advisory Council was preparing their James River Days brochure. Event submissions are due by December 15.

Mr. Gibbons suggested the date of April 19 for the next meeting. He said he hoped to be able to schedule a trip on the river to include a demonstration and discussion of a river evaluation.

Mr. Walton offered assistance with a location in Hopewell.

There being no further business, the meeting was adjourned.

Respectfully submitted,

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Richard G. Gibbons  
Chairman

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Joseph H. Maroon  
Director